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Proposed Counsel to Debtors and Debtors in Possession

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

)	
)	
In re:)	Chapter 11
)	
INTERNATIONAL SHIPHOLDING)	Case No. 16-12220 (SMB)
CORPORATION, <i>et al.</i> , ¹)	
)	
Debtors.)	Jointly Administered
)	

AMENDED PROPOSED AGENDA FOR SEPTEMBER 7, 2016, HEARING²

Time and Date of Hearing: September 7, 2016 at 10:00 a.m. (Prevailing Eastern Time)

Location of Hearing: Honorable Stuart M. Bernstein
United States Bankruptcy Court
Southern District of New York
Alexander Custom House
One Bowling Green, Courtroom 723
New York, New York 10004-1408

¹ The Debtors in these cases, along with the last four digits of each Debtor's federal tax identification number, are: International Shipholding Corporation (9662); Enterprise Ship Co. (9059); Sulphur Carriers, Inc. (8965); Central Gulf Lines, Inc. (8979); Coastal Carriers, Inc. (6278); Waterman Steamship Corporation (0640); N.W. Johnsen & Co., Inc. (8006); LMS Shipmanagement, Inc. (0660); U.S. United Ocean Services, LLC (1160); Mary Ann Hudson, LLC (8478); Sheila McDevitt, LLC (8380); Tower LLC (6755); Frascati Shops, Inc. (7875); Gulf South Shipping PTE LTD (8628); LCI Shipholdings, Inc. (8094); Dry Bulk Australia LTD (5383); Dry Bulk Americas LTD (6494); and Marco Shipping Company PTE LTD (4570). The service address for each of the above Debtors is 601 Poydras Street, Pan American Building, Suite 1850, New Orleans, Louisiana 70130.

² Amendments to the Agenda are included in Bold and Italicized typeface.

Copies of Motions: A copy of each pleading can be viewed (a) for a fee on the Court's website at www.ecf.uscourts.gov, and (b) free of charge on the website of the Debtors' proposed claims and noticing agent, Prime Clerk, at <https://cases.primeclerk.com/ish>.

MOTIONS TO BE CONTINUED

- A. Tax Motion. Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing, but not Directing, Debtor to Pay Taxes and Fees; and (II) Authorizing Financial Institutions to Honor all Related Checks and Electronic Payment Requests [ECF No. 13]

Objection/Response Deadline: August 18, 2016, at 4:00 p.m. (prevailing Eastern Time)

Objections/Responses Received:

1. The MM&P Benefit Plans' and MEBA Benefit Plan's Objection to Proposed Final Orders Regarding Debtor's Motions at Documents Number 10, 12, 13, 14, and 15 [ECF No. 84]
2. Declaration of Donald Marcus in Support of Objection to Proposed Final Orders Regarding First Day Motions [ECF No. 85]
3. Declaration of Marshall Ainley in Support of Objection to Proposed Final Orders Regarding First Day Motions [ECF No. 86]

Related Documents:

4. Interim Order (I) Authorizing, but not Directing, Debtors to Pay Taxes and Fees; and (II) Authorizing Financial Institutions to Honor all Related Checks and Electronic payment Requests [ECF No. 65]
5. Second Interim Order signed on 8/23/2016 Re: (I) Authorizing, But Not Directing, Debtors to Pay Taxes and Fees; and (II) Authorizing Financial Institutions to Honor All Related Checks and Electronic Payment Requests; and (III) Scheduling a Final Hearing [ECF No. 119]

Status: The Debtors request that this matter be adjourned to the September 15, 2016 hearing.

MOTIONS TO BE HEARD AT THE HEARING

- A. Motion to Adjourn. *The MM&P Benefit Plans' and MEBA Benefit Plans' Request to Adjourn September 7, 2016 Hearing [ECF No. 150].*

Objection/Response Deadline: *Not applicable*

Objections/Responses Received: *None*

Related Documents:

1. ***Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing Payment of Certain Critical Trade Claims in the Ordinary Course of Business; and (II) Authorizing Financial Institutions to Honor All Related Checks and Electronic Payment Requests [ECF No. 14]***
2. ***Debtors' Motion for Entry of Interim and Final Orders: (I) Authorizing the Debtors to Pay Certain Pre-Petition Claims (A) of Shippers and Warehousemen, (B) of Miscellaneous Lien Claimants, (C) Arising under Bankruptcy Code Section 503(b)(9) and (D) Incurred in Connection with Post-Petition Delivery of Goods and Services; and (II) Authorizing Financial Institutions to Honor and Process Checks and Electronic Payment Requests Related to the Foregoing Obligations [ECF No. 15]***
3. ***Debtors' Motion for Entry of Interim and Final Orders: (I) Authorizing the Debtors to Continue in Ordinary Course (A) Using Existing Cash Management System, Bank Accounts, and Business Forms and (B) Performing Intercompany Transactions; (II) Authorizing Debtors Banks to Honor All Related Payment Requests; and (III) Waiving, or Extending the Time to Comply with Investment Guidelines of Bankruptcy Code Section 345(b) [ECF No. 16]***
4. ***Debtors' Motion for Entry of Interim and Final Orders (1) Authorizing Debtors to (A) Obtain Postpetition Financing, (B) Use Cash Collateral, and (C) Grant Certain Protections to Prepetition Lenders, (2) Scheduling a Final Hearing, and (3) Granting Certain Related Relief [ECF No. 17]***

Status: *The Movants have agreed to withdraw this motion as it relates to Cash Management (ECF Nos. 16 and 125) and the DIP Financing Motion (ECF Nos. 17, 42 and 127). The Debtors will contest this motion with respect to the Critical Trade Claims (ECF No. 14 and 55) and Lien Claimants (ECG No. 15 and 45) to allow for the entry of further interim orders with respect to these motions that reflect the September 1, 2016 appointment of an official committee of unsecured creditors.*

- B. **Cash Management Motion.** Debtors' Motion for Entry of Interim and Final Orders: (I) Authorizing the Debtors to Continue in Ordinary Course (A) Using Existing Cash Management System, Bank Accounts, and Business Forms and (B) Performing Intercompany Transactions; (II) Authorizing Debtors Banks to Honor All Related Payment Requests; and (III) Waiving, or Extending the Time to Comply with Investment Guidelines of Bankruptcy Code Section 345(b) [ECF No. 16]

Objection/Response Deadline: August 15, 2016, at 4:00 p.m. (prevailing Eastern Time)

Objections/Responses Received: None

Related Documents:

1. Interim Order (I) Authorizing Debtors to Continue in Ordinary Course (A) Using Existing Cash, Management System Bank Accounts, and Business Forms and (B) Performing Intercompany Transactions; (II) Authorizing Debtors' Banks to Honor all Related Payment Requests; and (III) Extending the Time to Comply with Investment Guidelines of Bankruptcy Code Section 345(b) [ECF No. 41]
2. Notice of Final Hearing on Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing Debtors to Continue in Ordinary Course (A) Using Existing Cash Management System, Bank Accounts, and Business Forms and (B) Performing Intercompany Transactions; (II) Authorizing Debtors' Banks to Honor All Related Payment Requests; and (III) Waiving, or Extending the Time to Comply With Investment Guidelines of Bankruptcy Code Section 345(b) [ECF No. 125]

Status: This matter is going forward on an interim basis to extend the period of time for the Debtors to comply with Bankruptcy Code section 345(b).

- C. Pre-Petition Wages Motion. Debtors' Motion for the Entry of Interim and Final Orders (I) Authorizing Debtors to (A) Pay Pre-Petition Wages, Other Compensation, and Reimbursable Expenses, (B) Continue Employee Benefit Programs, and (C) Pay Director Fees and Expenses; and (II) Authorizing Financial Institutions to Honor and Process All Checks and Electronic Payment Requests Related to Such Obligations [ECF No. 10]

Objection/Response Deadline: August 15, 2016, at 4:00 p.m. (prevailing Eastern Time)

Objections/Responses Received:

1. The MM&P Benefit Plans' and MEBA Benefit Plan's Objection to Proposed Final Orders Regarding Debtor's Motions at Documents Number 10, 12, 13, 14, and 15 [ECF No. 84]
2. Declaration of Donald Marcus in Support of Objection to Proposed Final Orders Regarding First Day Motions [ECF No. 85]
3. Declaration of Marshall Ainley in Support of Objection to Proposed Final Orders Regarding First Day Motions [ECF No. 86]
4. Limited Objection and Reservation of Rights of IOMM&P and MEBA to Debtors' Motions for Entry of Final Orders (I) Authorizing Debtors to (A) Pay Pre-Petition Wages, other Compensation, and Reimbursable Expenses, (B) Continue Employee Benefit Programs, and (C) Pay Director Fees and Expenses; and (II) Authorizing Financial Institutions to Honor and Process All Checks and Electronic Payment Requests Related to Such Obligations and for entry of final Orders (1) Authorizing Debtors to (a) Obtain Postpetition Financing, (B) Use Cash Collateral, and (C) Grant Certain Protections to Prepetition Lenders, (2) Scheduling a Final Hearing, and 3) Granting Certain Related Relief [ECF No. 88]

5. Motion of Seafarers International Union in Opposition to Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing Debtors to (A) Pay Pre-Petition Wages, Other Compensation and Reimbursable Expenses, and (B) Continue Employee Benefit Programs and (C) Pay Directors' Fees and Expenses; and (II) Authorizing Financial Institutions to Honor and Process All Checks and Electronic Payment Requests Related to Such Obligations [ECF No. 89]

Related Documents:

6. Interim Order (I) Authorizing Debtors to (A) Pay Pre-Petition Wages, Other Compensation, and Reimbursable Expenses, (B) Continue Employee Benefit Programs, and (C) Pay Director Fees and Expenses; and (II) Authorizing Financial Institutions to Honor and Process All Checks and Electronic Payment Requests Related to Such Obligations; (III) Scheduling a Final Hearing; and (IV) Granting Related Relief [ECF No. 44]
7. Second Interim Order signed on 8/23/2016 Re: (I) Authorizing Debtors to (A) Pay Pre-Petition Wages, Other Compensation and Reimbursable Expenses, (B) Continue Employee Benefit Programs, and (C) Pay Director Fees and Expenses; (II) Authorizing Financial Institutions to Honor and Process All Checks and Electronic Payment Requests Related to Such Obligations; (III) Scheduling a Final Hearing; and (IV) Granting Related Relief [ECF No. 120]
8. Declaration of Erik L. Johnsen, President and Chief Executive Officer, Pursuant to Local Bankruptcy Rule 1007-2 and in Support of First Day Filings [ECF No. 7]
9. Supplemental Declaration Supplemental Declaration of Erik L. Johnsen, President and Chief Executive Officer, in Further Support of Certain First Day Filings [ECF No. 28]
10. Second Supplemental Declaration of Erik L. Johnsen, President and Chief Executive Officer, in Further Support of Certain First Day Filings [ECF No. 116]

Status: This matter is going forward on an interim basis with respect to the Credit Card Program. The Debtors will seek to continue consideration of the Director Obligations to the September 15, 2016 hearing.

- D. Critical Trade Claims. Debtors' Motion for Entry of Interim and Final Orders (I) Authorizing Payment of Certain Critical Trade Claims in the Ordinary Course of Business; and (II) Authorizing Financial Institutions to Honor All Related Checks and Electronic Payment Requests [ECF No. 14]

Objection/Response Deadline: August 15, 2016, at 4:00 p.m. (prevailing Eastern Time)

Objections/Responses Received:

1. The MM&P Benefit Plans' and MEBA Benefit Plan's Objection to Proposed Final Orders Regarding Debtor's Motions at Documents Number 10, 12, 13, 14, and 15 [ECF No. 84]
2. Declaration of Donald Marcus in Support of Objection to Proposed Final Orders Regarding First Day Motions [ECF No. 85]
3. Declaration of Marshall Ainley in Support of Objection to Proposed Final Orders Regarding First Day Motions [ECF No. 86]

Related Documents:

4. Interim Order (I) Authorizing Payment of Certain Critical Trade Claims in the Ordinary Course of Business; Scheduling a Final Hearing; and (III) Authorizing Financial Institutions to Honor All Related Checks and Electronic Payment Requests [ECF No. 55]
5. Declaration of Erik L. Johnsen, President and Chief Executive Officer, Pursuant to Local Bankruptcy Rule 1007-2 and in Support of First Day Filings [ECF No. 7]
6. Supplemental Declaration Supplemental Declaration of Erik L. Johnsen, President and Chief Executive Officer, in Further Support of Certain First Day Filings [ECF No. 28]
7. Second Supplemental Declaration of Erik L. Johnsen, President and Chief Executive Officer, in Further Support of Certain First Day Filings [ECF No. 116]

Status: This matter is going forward on an interim basis.

- E. Lien Claimants. Debtors' Motion for Entry of Interim and Final Orders: (I) Authorizing the Debtors to Pay Certain Pre-Petition Claims (A) of Shippers and Warehousemen, (B) of Miscellaneous Lien Claimants, (C) Arising under Bankruptcy Code Section 503(b)(9) and (D) Incurred in Connection with Post-Petition Delivery of Goods and Services; and (II) Authorizing Financial Institutions to Honor and Process Checks and Electronic Payment Requests Related to the Foregoing Obligations [ECF No. 15]

Objection/Response Deadline: August 15, 2016, at 4:00 p.m. (prevailing Eastern Time)

Objections/Responses Received:

1. The MM&P Benefit Plans' and MEBA Benefit Plan's Objection to Proposed Final Orders Regarding Debtor's Motions at Documents Number 10, 12, 13, 14, and 15 [ECF No. 84]

2. Declaration of Donald Marcus in Support of Objection to Proposed Final Orders Regarding First Day Motions [ECF No. 85]
3. Declaration of Marshall Ainley in Support of Objection to Proposed Final Orders Regarding First Day Motions [ECF No. 86]

Related Documents:

4. Interim Order (I) Authorizing the Debtors to Pay Certain Pre-Petition Claims (A) of Shippers and Warehousemen, (B) of Miscellaneous Lien Claimants, and (C) Incurred in Connection with Post-Petition Delivery of Goods and Services; and (II) Authorizing Financial Institutions to Honor and Process Checks and Electronic Payment Requests Related to the Foregoing Obligations [ECF No. 45]
5. Declaration of Erik L. Johnsen, President and Chief Executive Officer, Pursuant to Local Bankruptcy Rule 1007-2 and in Support of First Day Filings [ECF No. 7]
6. Supplemental Declaration Supplemental Declaration of Erik L. Johnsen, President and Chief Executive Officer, in Further Support of Certain First Day Filings [ECF No. 28]
7. Second Supplemental Declaration of Erik L. Johnsen, President and Chief Executive Officer, in Further Support of Certain First Day Filings [ECF No. 116]

Status: This matter is going forward on an interim basis.

- F. DIP Financing. Debtors' Motion for Entry of Interim and Final Orders (1) Authorizing Debtors to (A) Obtain Postpetition Financing, (B) Use Cash Collateral, and (C) Grant Certain Protections to Prepetition Lenders, (2) Scheduling a Final Hearing, and (3) Granting Certain Related Relief [ECF No. 17]

Objection/Response Deadline: August 17, 2016, at 12:00 p.m. (prevailing Eastern Time) as to Capital One National Association, Citizens Asset Finance, Inc., and Regions Bank; August 15, 2016, at 4:00 p.m. (prevailing Eastern Time) as to all other parties.

September 1, 2016, at 4:00 p.m. (prevailing Eastern Time) as to the Prepetition Secured Parties

Objections/Responses Received:

1. Limited Objection and Reservation of Rights of IOMM&P and MEBA to Debtors' Motions for Entry of Final Orders (I) Authorizing Debtors to (A) Pay Pre-Petition Wages, other Compensation, and Reimbursable Expenses, (B) Continue Employee Benefit Programs, and (C) Pay Director Fees and Expenses; and (II) Authorizing Financial Institutions to Honor and Process All Checks and Electronic Payment Requests Related to Such Obligations and for entry of final

- Orders (1) Authorizing Debtors to (a) Obtain Postpetition Financing, (B) Use Cash Collateral, and (C) Grant Certain Protections to Prepetition Lenders, (2) Scheduling a Final Hearing, and 3) Granting Certain Related Relief [ECF No. 88]
2. Citizen Asset Finance, Inc.'s Limited Objection to Senior Secured Post-Petition Financing and Objection to Use of Its Cash Collateral [ECF No. 99]
 3. Capital One, National Association's Limited Objection and Reservation of Rights in Response to Debtors' Motion for Entry of Interim and Final Orders (1) Authorizing Debtors to (A) Obtain Post-petition Financing, (B) Use Cash Collateral, and (C) Grant Certain Protections to Prepetition Lenders, (2) Scheduling a Final Hearing, and (3) Granting Certain Related Relief [ECF No. 104]
 4. Limited Objection and Reservation of Rights of Regions Bank, as Agent, in Response to Debtors' Motion for Entry of Interim and Final Orders (1) Authorizing Debtors to (A) Obtain Post-Petition Financing, (B) Use Cash Collateral and (C) Grant Certain Protections to Pre-Petition Lenders, (2) Scheduling a Final Hearing, and (3) Granting Certain Related [ECF No. 136]
 5. ***[Redacted] Debtors' Reply Memorandum of Law in Support of Motion for Entry of Interim and Final Orders (1) Authorizing Debtors to (A) Obtain Post-Petition Financing, (B) Use Cash Collateral, and (C) Grant Certain Protections to Prepetition Lenders, (2) Scheduling a Final Hearing, and (3) Granting Certain Related Relief [ECF No. 142]***
 6. ***Debtors' Reply Memorandum of Law in Support of Motion for Entry of Interim and Final Orders (1) Authorizing Debtors to (A) Obtain Post-Petition Financing, (B) Use Cash Collateral, and (C) Grant Certain Protections to Prepetition Lenders, (2) Scheduling a Final Hearing, and (3) Granting Certain Related Relief [ECF No. 144]***

Related Documents:

7. Declaration of Laurence H. Gurley in Support of Entry of Debtors' Motion for Entry of Interim and Final Orders (1) Authorizing Debtors to (A) Obtain Postpetition Financing, (B) Use Cash Collateral, and (C) Grant Certain Protections to Prepetition Lenders, (2) Scheduling a Final Hearing, and (3) Granting Certain Related Relief [ECF No. 23]
8. Notice of Filing of DIP Budget and Credit Agreement [ECF No. 25]
9. Interim Order (1) Authorizing Debtors to (A) Obtain Postpetition Financing, (B) Use Cash Collateral, and (C) Grant Certain Protections to Prepetition Lenders, (2) Scheduling a Final Hearing, and (3) Granting Certain Related Relief [ECF No. 42]

10. Memorandum Endorsed Order Signed on 8/16/2016. Re: Granting Extension [ECF No. 92]
11. Order signed on 8/24/2016 Adjourning Final Hearing of Debtors' Motion for Entry of Interim and Final Orders (1) Authorizing Debtors to (A) Obtain Postpetition Financing, (B) Use Cash Collateral, and (C) Grant Certain Protections to Prepetition Lenders, (2) Scheduling a Final Hearing, and (3) Granting Certain Related Relief [ECF No. 127]
12. *Supplemental Declaration of Laurence H. Gurley in Support of Motion for Entry of Interim and Final Orders (1) Authorizing Debtors to (A) Obtain Post-Petition Financing, (B) Use Cash Collateral, and (C) Grant Certain Protections to Prepetition Lenders, (2) Scheduling a Final Hearing, and (3) Granting Certain Related Relief [ECF No. 145]*
13. *Supplemental Declaration of Laurence H. Gurley in Support of Motion for Entry of Interim and Final Orders (1) Authorizing Debtors to (A) Obtain Post-Petition Financing, (B) Use Cash Collateral, and (C) Grant Certain Protections to Prepetition Lenders, (2) Scheduling a Final Hearing, and (3) Granting Certain Related Relief [ECF No. 146]*
14. *Declaration of William B. Mollard in Support of Entry of Interim and Final Orders: (I) Authorizing Debtors to (A) Obtain Priming and Super-Priority Postpetition Financing Pursuant to 11 U.S.C. §§ 105, 361, 362, 364(c)(1), 364(c)(1), 364(c)(2), 364(c)(3), 364(d)(1) and 364(e) and (B) Use Cash Collateral Pursuant to 11 U.S.C. § 363, (II) Granting Adequate Protection Pursuant to 11 U.S.C. §§ 361, 362, 363 and 364, (III) Scheduling a Final Hearing Pursuant to Bankruptcy Rules 4001(b) and (c) and (IV) Granting Related Relief [ECF No. 147]*

Status: This matter is going forward.

Dated: New York, New York
September 6, 2016

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